

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

LELAND WOODS,)	CASE NO. 1:06 CV 1454
)	
Petitioner,)	JUDGE JOHN R. ADAMS
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
STUART HUDSON,)	<u>AND ORDER</u>
)	
Respondent.)	

On June 13, 2006, petitioner Leland Woods filed this action for habeas corpus under 28 U.S.C. § 2254. For the reasons stated below, this action is dismissed.

A second or successive motion under section 2254 may not be filed without leave from the appropriate court of appeals. 28 U.S.C. § 2244(b)(3). The court takes judicial notice of the fact that this is at least the third petition filed by Woods in this court challenging his March 2003 convictions for rape, gross sexual imposition (8 counts) and kidnapping. His most recent petition, Case No. 1:06 CV 477, was transferred to the United States Court of Appeals for the Sixth Circuit, on June 6, 2006, pursuant to In re Sims, 111 F.3d 45 (6th Cir. 1997).

Accordingly, this action is dismissed as duplicative. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an

appeal from this decision and could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

Date: August 11, 2006

S/John R. Adams
JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE